

Response under 37 C.F.R. §1.111
Attorney Docket No. 000298A
Serial No. 10/663,692

REMARKS

Claims 31-69 are pending in the application. Claims 31-49 and 52-69 are rejected. Claims 50 and 51 are objected to.

Allowable Claims

As noted by the Examiner, claims 50-51 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 U.S.C. §102

Claims 31-33, 35 and 37 are rejected under 35 U.S.C. §102(b) as being anticipated by Gross et al. (U.S. Patent No. 6,310,352 B1).

We first note that Gross et al. is improperly applied in a rejection under §102(b) against the present application because its filing date was less than one year prior to the filing date of the present application. However, the date of the PCT application (WO97/35171) to Gross et al. appears to satisfy the requirements for a rejection under 102(b). Applicant herein addresses this rejection as if it were a rejection over WO97/35171.

Claims 31, 33-34 and 36-37 are rejected under 35 U.S.C. §102(b) as being anticipated by Maekawa (U.S. Patent No. 5,629,525).

Applicant herein amends claims 38, 39 and 54, and cancels claims 31-17. Applicant subsequently disagrees with the above rejection, because not all of the claimed limitations are taught or suggested by the cited reference.

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Applicant herein moves the limitations from allowable claim 50 to claim 38, and further renders claim 38 into independent form. Likewise, Applicant herein moves the limitations from allowable claim 51 to claim 39, and further renders claim 39 into independent form. Applicant cancels claims 50 and 51.

Subsequent to the above-noted amendments, Applicant notes that now-base claims 38 and 39 include allowable subject matter. Further, claims 40-69, which depend from allowable claims 38 and 39 and necessarily include at least the limitations of the base claims, should also be allowable.

Claim Rejections - 35 U.S.C. §103

Claims 38-49 and 52-69 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gross et al. in view of Da Silva et al. (U.S. Patent No. 5,912,945).

Applicant herein moves the limitations from allowable claim 50 to claim 38, and further renders claim 38 into independent form. Likewise, Applicant herein moves the limitations from allowable claim 51 to claim 39, and further renders claim 39 into independent form. Applicant cancels claims 50 and 51.

Subsequent to the above-noted amendments, Applicant notes that now-base claims 38 and 39 include allowable subject matter. Further, claims 40-69, which depend from allowable claims 38 and 39 and necessarily include at least the limitations of the base claims, should also be allowable.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

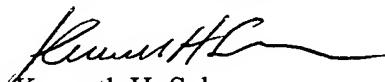
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If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Kenneth H. Salen
Attorney for Applicant
Registration No. 43,077

KHS/led
1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100

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